

Low expectations don't help anyone

Full disclosure: My wife got good grades in law school. She graduated third in her class. She practices law with a firm downtown that hires only lawyers with good grades, just like every other attorney there.

Full disclosure: I got good grades in graduate school (though I was nowhere near third in my class). That helped me get on the faculty at one of the most selective institutions in American higher education. There, I give out grades. Good ones to those who master the material, bad ones to those who do not. That is my job. It is, I think, an important one.

So when it comes to today's topic, I might be biased. I actually believe in things like academic excellence and intellectual merit. I believe that right answers are better than wrong answers, that people can differ in their ability to distinguish between the two, and that identifying those who can do that well is an important social good.

Grades, professional careers, and academic excellence are in the news thanks to the president of the National Urban League. In an interview that made national news, published in *The Gazette* last week, Marc Morial talked about law firms and diversity. It turns out that lawyers at the best firms want to hire only applicants who got good grades in law school. This, apparently, is bad.

Grades in post-secondary education exist to solve an important social problem: discovering who is good at what. It is highly beneficial to society to identify people with intellectual ability and professional skill, so that people can find them when they need them. That's how things like "reputation" and "prestige" work. It's also important for smart people to find and work with other smart people. Professional ability is best when leveraged.

No one is suggesting that grades are the only thing professional firms should consider. There are plenty of straight-A law school and medical students who have no business being around people. That's why law firms and residency programs do interviews. Where you went to school is important, too. Some places are a lot tougher than others. Grades aren't perfect, but they're a pretty



OPINION
BARRY FAGIN
Contributing columnist

good indicator of whether or not you can do what you trained for and how you compare with your peers.

Morial's comments were particularly insulting to the minorities he claims to defend. They imply that minority law students can't get as good grades as white students. Since he doesn't claim discrimination by a conspiracy of racist law professors (good thing, too, since there's no evidence for it), I can only assume that he's given up the fight. He seems to imply that the only way non-whites will ever be

proportionally represented in American law firms is if lawyers with good grades stop asking for the same in the associates they hire.

Let's do a little thought experiment. Suppose you were accused of a crime, or your kid got into trouble, or someone decided to sue you. Whatever it is, you need a lawyer. You've heard good things about Smith & Jones, so you stop by their office. On their front door you find a newly painted sign:

"The law firm of Smith and Jones now supports the hiring policies of the National Urban League. We are proud to announce that, in support of the visual diversity of our professional staff, we have reduced the emphasis we place on the academic performance of applicants for positions with the firm."

Would you want them to represent you?

The National Urban League is right when it declares that urban black America is in crisis. It is right in that the standard "solutions" of modern politics have not worked. At the risk of stating the obvious, it is also right in that racism in America has not gone away.

But the organization is wrong if it believes that lower academic standards for law firms, or medical practices, or any professional organization, are the answer. That would be unfair to those who use professional services, unfair to everyone who meet high standards, and unfair in the long run to those it's supposed to help. If you ever have wondered what the phrase "soft bigotry of low expectations" means, look no further.

Fagin, of Colorado Springs, is a senior fellow at the Independence Institute. His column appears on alternate Thursdays. Readers may e-mail him at barry@faginfamily.net.